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WESTMINSTER

March 17, 2005

City of Westminster
Department of
Public Works
and Utilities

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Westminster, Colorado
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Karen Lutz
U.S. Department of Energy
Rocky Flats Environmental Technology Site
10808 Highway 93, Unit A, MV72
Golden, Colorado 80403-8200

Re: *Draft Site-Wide Integrated Public Involvement Plan (SWIPIP)*, dated
January 24, 2005

Dear Ms. Lutz:

The City of Westminster appreciates the opportunity to review and provide comments on the document referenced above. We would especially like to thank the Department of Energy (DOE) for the early receipt of the document that allowed for additional dialogue prior to us drafting this letter and for the incorporation of previous comments submitted by the City.

Westminster understands that this document is to be the implementing document for public participation during transition and through regulatory closure of the site and that a future plan will govern public participation after site closure.

Words in italics are direct quotes from the SWIPIP or other DOE documents.

Cleanup Activities, page 8

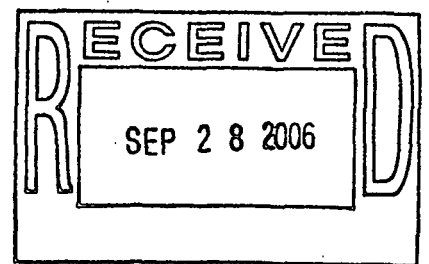
While final cleanup has not yet been completed, the Rocky Flats Project Office (RFPO) expects that, after closure, some contamination, an unintended consequence of years of weapons production, will remain at the Site. Some contaminated areas may need institutional controls for many years, and appropriate monitoring will be required to ensure that the remedies put in place as Rocky Flats is closed remain protective.

Revise as follows: "...the Rocky Flats Field Office (RFFO) knows... and, Some contaminated areas will need institutional..."

all waste will be removed, presuming a storage or disposal pathway is found for certain "orphan" wastes; clean building rubble will be used as fill;

Revise this sentence to state: "all waste will be removed; clean building rubble..."

ADMIN RECORD





Karen Lutz
March 17, 2005
Page 2

We have a signed letter from Jessie Roberson stating that the site will not close until all waste has been removed.

Add a section that summarizes what cleanup activities have been performed.

Organizations, page 11

Revise the language to change the "City of Broomfield" to the "City & County of Broomfield".

Concerns, page 12

For the purpose of this plan "the community" is defined as interested Rocky Flats stakeholders.

Westminster is more than an interested stakeholder, we are asset holders. Revise the language to more accurately reflect the types of public members involved with Rocky Flats such as local governments, asset holders, and stakeholders.

Administrative Record, page 14

The Administrative Record must contain all the historical data as well as it is vital for future reference. We ask that you work with us to determine an appropriate location for the historical data.

Add "Contact Records" to the 4th bullet on page 15.

The plan identifies several methods to disseminate a variety of information to the general public, local governments, and asset holders. We currently have additional communication with the Site and expect to maintain our open communication with the Site through regulatory closure. Revise the plan to include the following:

- Fax of analytical data for surface water to appropriate local governments prior to discharge of retention ponds;
- Notification via telephone in the event of elevated levels of surface water at Points of Evaluation (POEs) and Points of Compliance (POCs);
- Notification via telephone in the event of elevated levels of groundwater with a potential to impact surface water;
- Notification via telephone in the event an action level is triggered for air quality;
- Notification via telephone of any implementation of a contingency plan or occurrence such as fire;
- Notification via telephone prior to use of herbicides, culling of deer, demolition of contaminated facility.



Karen Lutz
March 17, 2005
Page 3

Informational Documents, page 17

Consistent with RFCA policy all remaining RFCA documents will be made available for public review preliminary versions or working drafts in the spirit of the consultative process. Early drafts will be released as informational copies and are not intended to elicit formal public comment. This does not preclude stakeholders from discussing or posing questions during regularly scheduled public meetings or to Site personnel. However, it does mean that the Site will not necessarily provide a formal response at the "informational" stage of the document. The informational copies will be made available for public review concurrently with delivery to the regulatory agencies. The Site may release "informational" or working drafts of documents in an electronic format or other convenient means.

We appreciate the language in the draft that provides for us to receive information copies concurrently with delivery to the regulatory agencies. This was a process that had been followed for some time, but has not been carried out for the last few documents received. We ask that DOE ensure this process is adhered to with the remaining decision documents.

The October 2002 SWIPIP refers to *working drafts* and that these *informational copies* will be made available for public review concurrently with delivery to the regulatory agencies. The following steps will be followed:

- Transmitted to Regulatory Agencies and released concurrently for Public Review
- Marked "Preliminary Review Draft for Interagency Discussion/Not for Public Comment"
- Briefings at CAB, RFCLoG, ER/D&D Meetings (as appropriate)
- Designated Site contact person identified

Revise the document to include the above-mentioned language. Site Managers and the regulators have committed to us that we would receive draft documents concurrently with the regulators. Based on the recent difficulties we had with receiving documents in their entirety and in a timely manner, it was very difficult for us to review several crucial documents in such a short-time frame (i.e., the Original Landfill IM/IRA). We ask DOE and K-H to follow the guidelines of the SWIPIP.

We thank DOE for their enhanced public communication process and we want to ensure as we get closer to closure that DOE does not deviate from the process outlined in this plan. We will continue to meet with DOE and K-H for clarification or resolution to our comments.



Karen Lutz
March 17, 2005
Page 4

Responsiveness Summaries, page 19

It is very important for Westminster to ensure a response is provided for each comment we make related to a decision document. We ask that disposition of comments not be grouped as they were in the revised RFCA. The grouping of comments did not lend itself to a clear response, since some of the grouped comments did not have any responsiveness summary included. We also ask that K-H and DOE meet with us to go over any responsiveness summary before it is included in the final document as they had done previously in the past.

Public Involvement Opportunities, page 20

Public Involvement: The RFI-RI/CMS-FS is being prepared in sections for DOE and Regulatory review. As sections are completed and reviewed by the agencies they will be made available for public information. When completed, the final document will be made available for review and public comment.

The language conflicts with the language in section 5.0. Site Managers have committed to provide informational documents to us concurrently, with regulatory agencies as identified in section 5.0. The public involvement plans have always identified a process that reflects an open, ongoing, two-way communication mechanism early in the process. Revise the language in the plan to state the documents identified in section 7.0 will be provided to stakeholders, local governments, and asset holders as sections are drafted for their review. If the RI/FS is being drafted in sections, we expect to receive the sections concurrently as the regulators. Delete the following sentence: *As sections are completed and reviewed by the agencies they will be made available for public information.* Add language to all the other identified documents to include "as sections of the document are drafted, they will be released to the regulators, stakeholders, local governments, and asset holders for their review early in the process".

Appendix C – Rocky Flats Meeting Primer, page 24

The primer is very useful and represents the efforts DOE and K-H have made to inform us and the public of their activities.

Revise the following items in the primer:

- Add the City & County of Broomfield and the Woman Creek Reservoir Authority to the list of sponsors for the Data Exchange Meetings
- Revise the purpose of the Water Working Group to include language in RFCA Appendix 5.
- Purpose of the IMP is identified in RFCA paragraphs 266 and 267. Revise the language to reflect the purpose.



Karen Lutz
March 17, 2005
Page 5

Appendix D – Information Contacts: page 31

Update the contact for the Colorado Attorney General for the State of Colorado.

Thank you for the opportunity to comment on this document. The City of Westminster expects this will be the final SWIPIP. We will continue to be involved and have iterative ongoing consultation with the RFCA Parties in any final decisions pertaining to closure activities. We appreciate all your efforts and responsiveness to meet our needs by providing timely information, having discussions with us, and seeking our input in the decision-making processes for cleanup and closure.

Sincerely,

Al Nelson
Rocky Flats Coordinator

cc: Sam Dixon, City Councillor, City of Westminster
JoAnn Price, City Councillor, City of Westminster
Jim Arndt, Director Public Works and Utilities
Ron Hellbusch, Special Projects Coordinator
Gary Brosz, City & County of Broomfield
Lori Cox, City & County of Broomfield
Shirley Garcia, City of Broomfield
Steve Gunderson, Colorado, Department of Public Health and Environment
Mark Aguilar, Environmental Protection Agency
Ray Plienness, Legacy Management
David Abelson, Rocky Flats Coalition of Local Governments

15